

MinutesNovember 20, 2001

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 20, 2001, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner

Commissioner Rowe was absent for the business meeting only. The votes were left open and he cast his votes prior to the work sessions held this same day.

APPEARANCE
Dennis Crawford
Utility Division

(407) In the matter of Qwest Corporation, Docket No. N2001.10.145; On October 23, 2001, Qwest Communications submitted Tariff Transmittal 01-33, ISDN Single Line Service Promotion. Qwest requests that during a 90-day promotional period from November 19, 2001 through February 15, 2002, a \$100.00 rebate check be provided to customers entering into at least a one-year rate stability agreement for ISDN Single Line Service. This promotion will be available on orders placed and/or completed during the promotional period or at the next available offered due date, and where facilities are available. Commissioner Stovall moved to approve the promotion. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(408) In the matter of T-01.33.OTSC; On October 1, 2001 an Order to Show Cause was issued to Ronald Ray Fletcher dba Uptown Cab Co., Sidney, Montana, PSC No. 9419, for failure to purchase a vehicle registration receipt for 2001. The Order to Show Cause was sent certified mail and received by the carrier on October 9, 2001. There has been no response. Attempts to contact the motor carrier by telephone have failed.

Class B – Passengers between all points and places in Richland County, Montana.

Commissioner Feland moved to cancel the authority. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(409) In the matter of TN2119; James M. Sherman, Sunburst, Montana requests permission to lease PSC No. 8989 to Underdahl Farms, Inc. dba U.F.I. Sanitation Service, Conrad, Montana for a three month period, November 20, 2001 to February 20, 2002.

Class D - Solid waste and garbage between all points and places in Toole County, Montana.

Commissioner Feland moved to approve the lease. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

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(410) In the matter of T-01.32.OTSC; On November 6, 2001 the Commission voted to cancel the operating authority of Darin Niebuhr dba Piano Pathways, Billings, Montana for failure to purchase 2001 vehicle registration receipts. The motor carrier has contacted the Commission and requested re-instatement of his operating authority and submitted an order for a vehicle registration receipt. Staff recommends re-instatement of the operating authority.

Class B - Pianos and organs between all points and places within Big Horn, Carbon, Stillwater, Treasure, and Yellowstone Counties.

Commissioner Stovall moved to cancel the authority. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(411) In the matter of the approval of Commission Minutes; Commissioner Brainard moved to approve the Commission Minutes for the week of November 5, 2001. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

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Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner
Bob Rowe, Commissioner

Commissioner Anderson excused himself during Item 417 but left written votes and proxies with the Commission Secretary.

APPEARANCE

Martin Jacobson, Joel Tierney, Dave Burchett

(412) In the matter of the Commission's discussion of Montana-Dakota Utilities annual review of monthly gas tracker, Docket No. D2001.4.43; Commissioner Brainard moved to issue the draft order. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Kate Whitney

(413) In the matter of the Commission's discussion of Complaint by Public Service Commission against Business Savings Plan for slamming, Docket No. D2001.7.101; Commissioner Anderson moved to issue the draft order with the maximum penalty. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Leroy Beeby

(414) In the matter of the Commission's discussion of Hot Springs Telephone Company's tariffed and detariffed services, Docket No. N99.5.116; Commissioner Rowe moved to grant an extension of time to June 1, 2002 to provide the cost study results. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Leroy Beeby

(415) In the matter of the Commission's discussion of Southern Montana Telephone Company's tariffed services, Docket No. N99.5.127; Commissioner Stovall moved to approve the interim tariffed services as permanent tariffed services. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Mike Lee

(416) In the matter of the Commission's discussion of Qwest Corporation's application for approval of Section 271 – Track A Preliminary Report, Docket No. D2000.5.70; Commissioner Rowe moved to issue the preliminary report. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Ryan Morton, Marla Larson

(417) In the matter of the Commission's discussion of Qwest Corporation's application for approval of Section 271 – Checklist Items 2 and 4 Preliminary Report, Docket No. D2000.5.70; Commissioner Brainard moved to approve issuance of the preliminary report. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Robin McHugh, Wayne Budt, David Hoffman

(418) In the matter of the Commission's discussion of the Public Service Commission's agency mail procedure; Commissioner Rowe moved to approve the procedure presented and place it in the bluebook. Commissioner Stovall seconded the motion, which passed with a vote of 4-0.

APPEARANCE

Robin McHugh, Wayne Budt, David Hoffman

(419) In the matter of the Commission's discussion of Budget and Personnel matters; Commissioner Stovall moved to approve a pay exception for Rhonda Simmons to grade 12 effective the beginning of FY 2001. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Feland cast Commissioner Anderson's proxy aye.

Commissioner Rowe moved to submit PD No. 42100024 to Department of Administration to obtain grading result. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Feland cast Commissioner Anderson's proxy aye.

Commissioner Brainard moved to approve all position descriptions being submitted to Department of Administration. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Feland cast Commissioner Anderson's proxy aye.

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There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

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MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)